



## DECISION REPORT

**TRIBUNAL REFERENCE:** APW/001/2025-026/CT

**RESPONDENT:** Former Councillor Iwan Huws

**RELEVANT AUTHORITY:** Gwynedd County Council

### 1. INTRODUCTION

1.1 A case tribunal convened by the President of the Adjudication Panel for Wales (APW) met remotely to consider the referral made to it in respect of the above Respondent.

1.2 The Case Tribunal considered the documentary evidence presented by the parties on the 17 December 2025, in a hearing held remotely by video platform.

1.3 The APW received a referral from the Public Services Ombudsman for Wales (PSOW) in a letter dated 3 July 2025, in respect of a complaint made against the Respondent.

1.4 It was alleged that the Respondent was in breach of paragraph 6(1)(a) of the Gwynedd County Council Code of Conduct which states: *“Members must not conduct themselves in a way which could reasonably be considered to bring their role or their authority into disrepute.”*

1.5 Put succinctly the allegation was that the former councillor accepted a Conditional Caution for the offence of *“Fraud through misuse of position”* when he attempted to defraud his employer by misusing money. It was alleged that that it was reasonable to conclude that the Conditional Caution and the misconduct of the member had brought his office as a member and his County Council into disrepute suggesting a failure to comply with paragraph 6(1)(a) of the Code.

1.6 The Respondent did not complete an APW response form in response to the allegation. The bundle of documents prepared for the Case Tribunal's consideration included the report of the PSOW and its supporting documentation gathered in the course of the investigation, correspondence received from the respondent and the PSOW in the course of the proceedings. These were carefully considered by the Case Tribunal when discussing the case.

1.7 Listing Directions were issued by the Case Tribunal on the 24 November 2025, providing the parties with another opportunity to submit further information in response to every step of the adjudication process. The relevant steps were to determine the facts, conclude whether there had been a failure to comply with the Code of Conduct and decide on any relevant sanction. The Tribunal received written submissions from the Respondent and PSOW.

## **2. PRELIMINARY ISSUES**

2.1 No response was received from the Respondent to the referral within the allocated time limit, but an email was received dated 4 September 2025, offering comments on it. Since it was presented out of time, the Case Tribunal concluded that it could not be accepted as a response to the reference but that the email would be admitted as the Respondent's comments for consideration in the final hearing.

2.2 The email offered an explanation for the Respondent's failure to respond in time and apologies for his conduct.

## **3. PSOW'S REPORT**

3.1 A report was prepared by the PSOW in response to a complaint that the Respondent had failed to comply with the Code of Conduct. The allegation was that he had breached Gwynedd County Council's Code of Conduct by accepting a Conditional Caution for the offence of "*Fraud through abuse of position*" when attempting to defraud his employer through the misuse of funds.

3.2 The date of the offence was July 2023. The Respondent accepted the Conditional Caution on 19 December 2023. The condition imposed was that the Respondent should write a letter of apology to his employer, Isle of Anglesey County Council. The Respondent had resigned from his employment with Isle of Anglesey County Council on the 15 September 2023. He sent a letter of explanation to his employer dated 1 November 2023. The conclusion of the report was that the misconduct by the former member and the Conditional Caution he accepted, fell short of the expected standard of behaviour.

3.3 The report noted that the Respondent, during the investigation, had held various roles within Gwynedd County Council, including serving as a member of the Education and Economy Scrutiny Committee and a member of the Pensions Committee. The PSOW was of the opinion that a member of the public could reasonably question how a member could hold such roles, having demonstrated a failure in integrity and an attempt to dishonestly obtain public funds for himself.

3.4 The report concluded that the Respondent had demonstrated a lack of insight into the impact of his criminal behaviour on the reputation of the Relevant Authority. Although the offence had taken place within the Respondent's employment by a neighbouring local authority, the report noted the nature and seriousness of the offence which led to the acceptance of a criminal caution for fraud through misuse of position and it could reasonably be considered that the caution and the misconduct had brought the office of member of the county council and the county council into disrepute. Although the story was not reported in the media, the incident was so serious that the story would have brought into disrepute both the office of councillor and the council if it had been brought to the public's attention.

3.5 Although the Respondent expressed his regret for the offence and his conduct to the PSOW, the conclusion of the investigation and the report was that it was reasonable to conclude that the acceptance of a Conditional Caution and the conduct of the former member had brought his office and the county council into disrepute, suggesting a breach of paragraph 6(1)(a) of the Code of Conduct.

## **4. FINDINGS OF FACT**

### **Undisputed facts**

4.1 The Case Tribunal noted the following undisputed facts:

4.1.1 The Respondent signed an acceptance of office as a county councillor and undertook to comply with the Code of Conduct on the 10 May 2022.

4.1.2 The Respondent completed training on the Code of Conduct on the 10 May 2022 and 21 September 2022.

4.1.3 The Respondent was also a member of Y Felinheli Community Council, having been co-opted there in 2018. He resigned from that role in September 2023.

4.1.4 The Respondent had been employed by Isle of Anglesey County Council as a Senior Maritime Officer since 2011, until his resignation in September 2023.

4.1.5 A production company was referred to the Respondent on the 30 June 2023, to seek permission to hire Beaumaris pier for two days. The company stated that it would pay a “total fee” to include all costs and parking.

4.1.6 The Respondent agreed a fee of £3,000 to include VAT and stated that this would cover all the costs. The Respondent asked for the payment to be made through a BACS transfer.

4.1.7 On the 10 July 2023, the Respondent sent an invoice to the company by email for the cost of the hire. He attached a mooring receipt which included a handwritten document setting out the details of the pier hire and his own personal bank account details as the appropriate account for receiving payment.

4.1.8 On the 13 July 2023, the company sent a purchase order to the Respondent’s email address at Ynys Mon County Council.

4.1.9 On 24 July 2024, the Respondent sent an email demanding payment of the fee by the production company. Once again, the email attached a copy of the mooring receipt containing the Respondent’s own handwritten bank details.

4.1.10 The Respondent deleted both emails dated the 10 and 24 July from his email box.

4.1.11 On 26 July 2023, the production company made enquiries of the Employer’s Finance Department regarding the invoice and they confirmed that the payment details were incorrect.

4.1.12 The Employer conducted an investigation that disclosed that the bank details were those of the Respondent.

4.1.13 Because of the inconsistencies the Respondent was suspended from his employment and the matter referred to the police.

4.1.14 The Respondent resigned from his post with Isle of Anglesey County Council on the 15 September 2023.

4.1.15 The Respondent was interviewed by the police. He confessed that he had sent the handwritten invoice demanding payment and agreed that he had attempted to defraud through the abuse of his position. During an interview with the PSOW interviewing officer, the Respondent made the same admissions.

4.1.16 The Respondent did not get any personal cash benefit as a result of his actions.

4.1.17 On 19 December 1023, the police gave the Respondent a Conditional Caution for the offence of fraud through misuse of position, the only condition being that he should write a letter of explanation to the Isle of Anglesey County Council, an action that he had already completed.

### **Disputed Facts**

4.2 There were no disputed facts for determination by the Case Tribunal.

## **5. THE RESPONDENT'S COMMENTS IN INTERVIEW WITH THE PSOW**

5.1 The Respondent admitted in the course of the interview with the PSOW that he had committed the offence but his mitigation was that he had tried to resolve the problem in his own way. He alleged that the request from the company had put him under time constraints to process the request. He stated that he had responded on the same day to inform them that the sum offered would cover all the costs and he asked whether the company could make the payment by BACS. He also asked whether the fee could be paid on an official receipt, otherwise it would be necessary to set up the company as a supplier which could take some time. The Member explained that this wasn't the correct process to follow with this type of request. Instead, the usual practice would be to raise an official purchase order through the Employer's Finance Department, which would then send an invoice to the company. He said that this process would take some time and because he wanted to be helpful in expediting the process for the company, he had not followed the correct process. He said that he now acknowledged that that was a mistake.

5.2 He explained that the relevant fee rates would be about £900 for a full day to include VAT so that the fee for two days would be £1,800. When asked whether the remaining £1,200 was to pay for the parking, he stated:

*"I'm not sure what the charges are that Beaumaris Town Council charge for parking in that area. My intention was to pay a proportion to the Town Council after the weekend but after the weekend everything accelerated."*

The Member explained that he had subsequently received a telephone call from the company who were unhappy that the Town Council had not been consulted about the parking prior to their arrival. He stated that once he heard about the company's dissatisfaction, he decided to pay half the fee to the Town Council to reimburse the cost of parking. To do that, he decided to send the mooring receipt with his own bank details, with the intention of keeping half the payment for himself and giving the other half to the Town Council.

5.3 He stated that he had admitted to the police that it was an attempt to defraud in a public office and that he had used an old receipt book to facilitate this. He admitted that he had sent the handwritten invoice to the company with the details of his own personal bank account and that he had not presented a purchase order to the Finance Department until the 26 July 2023. The member admitted that he had deleted the email messaged dated 10 and 24 July 2023. He also confirmed that despite the purchase order from the company (which would have been the correct process to follow) on the 13 July 2023, he sent a further email on the 24 July to the company demanding payment to his own personal bank account.

5.4 When he was asked to explain why he had deleted the email, he stated:

*“...I started to panic then having realised what I had done and having understood that the company had phoned the finance department and the finance department had called the officer who deals with this type of thing and then phoned me to ask what was going on and how I was going to sort it out, I started panicking and deleted the emails containing the invoice.”*

5.5 During the interview, the Member stated in a way which could be interpreted as joking, that he should have thrown his laptop into the Menai [the straits separating the Isle of Anglesey from Gwynedd] since his Employer could not then have retrieved the email messages which had been deleted.

5.6 The Member could not recall when the Employer had first raised their concerns with him, but he could recall that there had been a telephone conversation with a colleague when he said:

*“I sent that [the purchase order sent to the Member on the 13 July 2023] to the relevant officer saying that was the one to be used. [Asking the Finance department and the company] to ignore the other one, the handwritten invoice dated 10 July and pursued on the 24 July.”*

5.7 He alleged that he did not realise that accepting a caution for fraud through misuse of position was an admission of guilt. However, he accepted that he was guilty of the offence. He stated that he had decided to accept the caution and resign from his employment because at the time he did not want to go through an internal investigation. He accepted that he had made a major mistake and stated that he wanted to move on from the incident. He believed that by resigning when he did, that he was doing the honourable thing at the time. He said that the embarrassment of facing his colleagues and his guilt about what he had done had led him to co-operate with the Police.

5.8 He confirmed that he had not been arrested by the police and that he had not obtained any financial gain through his actions. He said that he didn't have any financial motives for the fraud and that he had never done anything like that previously. He referred to problems in his personal life but he could not provide a specific reason why he acted as he did, other than its being an attempt to resolve the issue of keeping the Beaumaris Town Council happy and assisting the Film Company.

5.9 The Respondent stated that as a result of this issue, he had sought medical advice for stress and had been very anxious about the potential for details about him to be disclosed and the bad press that could attract. He stated that he had been very close to an offer of a cabinet post in Gwynedd County Council but had declined to accept because of the situation.

5.10 He stated that he had contemplated resignation from the county council and that he might do so yet, depending on the decision of the PSOW. He did not wish to undergo a Standards Committee hearing nor attend a hearing before the APW.

5.11 The Respondent expressed his remorse for his actions and his inability to explain them. He said that if he was able to repeat the events, he would have used the usual process of presenting an official purchase order, without seeking to help. He said that he had looked forward to developing his political career and that he still hoped to be able to do so. He regretted the whole incident and the impact it had on him. He said that he had co-operated fully with his Employer and the police and that he did not want to cause further embarrassment to anyone. He said in the interview:

*“Yes, its obvious that I’ve been under a bit of stress, worrying daily that something else would be exposed and me being a county councillor, like. Nothing has come out so far as I know – you know that – it isn’t public knowledge in my village, it isn’t causing me embarrassment in my ward but its obvious and I’m conscious that one or two colleagues in Ynys Mon who were friends are aware and in Gwynedd Council, the leader and ,,,the Monitoring Officer and his Deputy are making the investigation aware.”*

5.12 He said that he understood paragraph 6(1)(a) of the Code and that high standards are a requirement when someone holds public office. He said that he wished to emphasise that although he was a Gwynedd County Councillor at the time, he was employed by Isle of Anglesey County Council as an officer and undertaking his duties in that capacity at the time. He stated that he felt that his conduct could have brought Isle of Anglesey County Council into disrepute and his office as a councillor.

5.13 The Respondents stated that he enjoyed being a councillor and that this incident was an obstacle. He hoped that it would not reach a stage where he would be required to resign.

5.14 The Respondent stated that he had not considered a self-referral to PSOW but that he realised that he should probably have done that. He stated however that he had reported the incident to the Leader of the Council at the time.

#### **The Respondent's comments in his email of the 4 September 2025.**

5.15 In his email to the APW dated 4 September 2025, the Respondent stated that he accepted the conclusions of the PSOW and thanked them for their thorough investigation. He confirmed that he was the Chair of the Felinheli Community Council until September 2023. He sought the understanding and mercy of the APW *“from considering the context and my personal circumstances at the time of the offence”* together with the impact any suspension would have on the case work he was undertaking on behalf of his constituents. He apologised profusely for his conduct.

5.16 The Respondent sent a further email dated 13 October 2025, correcting the reference to the date “2022” in his previous email to “2023” and confirmed that he had now resigned from his office as a County Councillor, stating that the media in Wales had run a very negative story about him the previous Friday and that his good name was now tarnished.

## **6. THE PSOW'S COMMENTS**

6.1 The PSOW noted in her further comments that the Respondent had held a number of roles within the Relevant Authority, including being a member of the Education and Economy Scrutiny Committee and the Pensions Committee. It was her opinion that it would be reasonable for a member of the public to question how a member could hold such offices, having demonstrated a lack of integrity in an attempt to dishonestly acquire public funds for their own benefit.

6.2 Despite his remorse, the PSOW noted that the Respondent had shown a lack of insight into the impact of his criminal behaviour on the reputation of the Relevant Authority. The PSOW's guidance notes that she considers a member's conduct from the standpoint of a reasonable member of the public. Despite the conduct having occurred in the course of the Member's employment by a neighbouring council, she noted the nature and seriousness of the offence which led to the criminal caution for fraud through misuse of position. She was of the opinion that it could reasonably be considered that a Conditional Caution and misconduct by the Respondent had brought his office and the Responsible Authority into disrepute, suggesting a breach of paragraph 6(1)(a) of the Code of Conduct.

## 7. THE CASE TRIBUNAL'S DELIBERATION

7.1 The Case Tribunal noted the following facts:

7.1.1 The Respondent was notified of the PSOW investigation on the 24 May 2024.

7.1.2 In the course of the investigation, the investigating officer received documentation from the Relevant Authority and from the police.

7.1.3 During the course of the investigation, the Respondent volunteered to take part in an interview with the Investigating officer and the transcript of the interview was in the Case Tribunal's bundle of documents.

7.1.4 Following the interview, the Respondent produced further evidence for the investigating officer which was also within the hearing bundle before the Case Tribunal.

7.2 The Case Tribunal also noted the following events:

7.2.1 The Respondent was suspended from his employment with Isle of Anglesey County Council by letter received by the Respondent on or about the 6 August 2023.

7.2.2 On the 14 September, the police wrote to the Respondent inviting him to attend a voluntary interview regarding the offence of *"fraud through misuse of position"*.

7.2.3 On the 15 September 2023, the Respondent resigned from his employment with Isle of Anglesey County Council.

7.2.4 On the 4 October 2023, the Respondent attended a voluntary interview with the police where he admitted the offence in full of attempt to defraud by misuse of position and that he had not received any payment as a result of the offence.

7.2.6 On 19 December 2023, the police gave the Respondent a Conditional Caution for the offence, the condition being that he wrote a letter of explanation to his employer. The police recorded the caution and the offence on the 3 July 2023 as follows:

*"Fraud by abuse of position...namely a Senior Maritime Officer, in which you were expected to safeguard or not to act against the financial interests of Ynys Mon Council, you dishonestly abused that position intending thereby to cause a loss of £2,500 in mooring fees from the film company. This was contrary to sections 1 and 4 of the Fraud Act 2006."*

7.2.7 The Respondent had already written a letter to his employer dated 1 November 2023 apologising for his conduct. He had prepared the letter following the police interview and the police and seen a draft of it on the 19 October 2023, before it was sent to the employer.

7.2.8 The Respondent during the period of the investigation by the PSOW held a number of different roles within the Relevant Authority including being a member of the Education and Economy Scrutiny Committee and the Pension Committee.

7.2.9 The Respondent did not notify the Monitoring Officer of the Conditional Caution. The Monitoring Officer was notified on the 26 January 2024 by the Leader of the Council's Plaid Cymru group.

7.2.10 On the 9 February 2024, the Monitoring Officer contacted the Respondent directly by email to seek formal confirmation of the facts.

7.2.11 Confirmation was not received until the Respondent emailed on the 2 February 2024 with the details. In that email, the Respondent confirmed that he had resigned from his employment on the 15 September 2023 but that he was on the verge of retiring then anyway.

7.2.12 The Respondent did not consider referring himself to the PSOW.

7.2.13 The Monitoring Officer confirmed that he referred the matter to the PSOW on the 29 February 2024.

7.2.14 On the 24 May 2024, the PSOW confirmed that a decision had been made to investigate the complaint.

7.2.15 On the 13 January 2025, the Respondent was interviewed by the PSOW Interviewing Officer.

7.2.16 On the 3 July 2025, the PSOW referred the allegations made against the Respondent to the APW. The allegation was that he had failed to comply with paragraph 6(1)(a) of the Gwynedd County Council Code of Conduct which states: "6.—(1) *You must — (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;*"

7.2.17 On the 30 July 2025, the APW sent a copy of the reference to the Respondent, inviting his response to the referral within 21 days.

7.2.18 The Respondent tendered the resignation of his office as a member of Gwynedd County Council by email dated 18 September 2025.

## **8. THE CASE TRIBUNAL'S FINDINGS**

8.1 This is a relatively unusual case since there are no disputed facts and only one incident to consider, namely the conduct of the Respondent in June/July 2023 in the context of his employment as a Senior Maritime Officer employed by Isle of Anglesey County Council.

8.2 When considering the conduct, the Case Tribunal has reminded itself of the relevant provisions in this context.

8.3 Pursuant to Part III of the Local Government Act 2000, local councils must adopt a Code of Conduct for members which incorporates the provisions of the Model Code, which is contained in an order made by the Welsh Ministers.

8.4 It is a requirement that members of councils sign an undertaking that they will, in fulfilling their roles, comply with the council's Code of Conduct. The Respondent gave such an undertaking on the 10 May 2022. He attended two training courses on the Code of Conduct on the 10 May and 21 September 2022.

8.5 The Code of Conduct incorporates the compulsory provisions of the Welsh Model Code of Conduct, which is consistent with the ten principles of behaviour derived from the Nolan principles for conduct in public life.

8.6 Part II of the Code notes that members must comply with the code in relation to their behaviour as noted in paragraphs 6(1)(a) and 7 at all times and in all capacities.

8.7 The relevant provision of the Code in this case is paragraph 6(1)(a):

“6.—(1) *You must —*

*(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;”*

8.8 Normally, the Case Tribunal would also consider Article 10 of the European Convention on Human Rights and the right to express an opinion but no question is raised about that right in this case.

### **PSOW's Guidance**

8.9 The PSOW has published guidance for councillors and in it is states:

*“2.33 Dishonest and fraudulent behaviour will bring the council into disrepute, as well as conduct which leads to a criminal conviction especially if it includes dishonest threatening or aggressive behaviour even if that conduct has taken place in your private capacity.”*

8.10 In this case, on the basis that the Respondent has admitted an offence of dishonesty and fraud and that he does not disagree with the conclusions of the PSOW nor does he disagree with the facts as presented by the PSOW, the Case Tribunal unanimously concluded that the conduct of the Respondent breached paragraph 6(1)(a) of the Code.

8.11 Although the offence happened in the context of his employment as a Senior Maritime Officer for the Isle of Anglesey County Council, he was at the time a member of the Relevant Authority and held very responsible roles within that Council. The fact that he broke the law and attempted to defraud his employer, which was itself a public authority, and tried to steal money which was due to Beaumaris

Town Council and to Isle of Anglesey County Council, means that the offence demonstrated a lack of respect towards the public on several levels.

8.12 The attempt to defraud took place over a number of days and does appear to include an element of premeditation in its preparation. Despite the Respondent's explanation that he had to make a decision under time pressures and that he sought to secure the interests of the Town Council and the film production company, he had enquired whether the company could make the payment through a BACS transfer on the 30 June. On Monday 10 July, he sent a handwritten invoice including his own bank details to the company for the sum of £3000. The page on which he had written his own bank details had been torn from inside a book of Isle of Anglesey County Council Mooring Receipts, with the attached carbon copies also removed, so that the removal of the page could not be detected unless someone noticed that the numbers were out of sequence. On the 24 July, the Respondent emailed the company demanding payment and attaching another copy of the invoice. The emails were subsequently deleted from the Respondent's email account and the IT department had to restore them from the system, following his suspension from work. Only once the company had made enquiries about the accuracy of the handwritten invoice did the Respondent send a purchase order to the finance officer in Isle of Anglesey County Council.

8.13 The Case Tribunal came to the conclusion that the behaviour displayed was not a moment of madness but a series of events which included an element of planning and premeditation, including ensuring that the company could pay through a BACS transfer, ensuring that the absence of the invoice from the book was not apparent and deleting the emails from his own account. The attempt was ongoing for a period of about three weeks and during that period, there were ample opportunities for the Respondent to withdraw from the attempt and arrange for the payment to be properly made to Isle of Anglesey County Council.

8.14 This was a serious attempt to defraud in the capacity of his employment within a public body, an offence which brought the Respondent himself into disrepute. Despite his attempts to cover up the offence and the Conditional Caution, the seriousness of the offence means, despite its being conducted in his personal role as an officer, it also brought his office as a councillor and the Relevant Authority into disrepute.

8.15 We noted with interest that it was not until the 16 October 2025 that the Respondent considered his reputation besmirched. A number of people within Isle of Anglesey County Council were aware of the offence, along with members of North Wales police and some in Gwynedd County Council. The Respondent's main interest in this process was to admit the offence and move on. He said as much in his interview with the PSOW and he has done as much as he can to ensure that the offence did not become known. His comments in the PSOW that he should have thrown his laptop into the Menai Strait, even if intended in jest, were inappropriate

and demonstrated a lack of understanding of the seriousness of the situation. It suggests that covering up the offence and moving on as if it had never happened was the objective. His comment in the PSOW interview praising the fact that the story had not become public because that would cause him embarrassment, reflects his lack of understanding of the seriousness of the offence he committed.

8.16 It is striking that he didn't resign as a member of Gwynedd County Council until September 2025, by which time, the case was under consideration by the Case Tribunal. He had mentioned in his PSOW interview that his intention was to retire from his role with Isle of Anglesey County Council anyway, in order to focus on his political career. It is apparent that he intended to continue as a member of the County Council, despite his conduct and to all intents and purposes without acknowledging the seriousness of the offence but rather seeking to cover up the offence from his constituents. Although he apologised and asked for mercy, his main objective was to keep it all quiet and to ensure that his reputation and his political career were not affected by his conduct. That suggests that the Respondent did not have any real insight into the seriousness of his conduct nor regret for what he did, but rather that he regretted being caught in the act and had acknowledged the offence. Above all, his conduct does not indicate that he has a full understanding of the high expectations of good behaviour that are imposed on those holding public office.

8.17 Despite his assertion that he did not appreciate that accepting a Conditional Caution would mean that he admitted the offence, the papers prepared by the police in such circumstances and in this case specifically, as they were presented in evidence, confirm to the offender precisely what was the status of a confession and what the acceptance of a conditional caution signifies. It is also clear from the documentary evidence that the Respondent was legally represented at the time and his legal representative would have explained the position to him. Consequently, we cannot accept that the Respondent did not appreciate what he was doing by confessing to the police that he committed the offence.

8.18 The Nolan Principles, as extended in the principles governing elected members in Wales, are the basis of the Code of Conduct and underline the importance of integrity and propriety, the duty to maintain the law and to lead by example to promote public confidence in their office and authority. The Case Tribunal has concluded that the Respondent did not maintain those principles.

8.19 To conclude, the Case Tribunal decided that it could reasonably be perceived that the conduct to which the Respondent admitted brought his office and authority into disrepute. He admitted to a serious offence where he sought to use his role working for a public authority to steal money owed to that authority and Beaumaris Town Council, for his own benefit and accepted a conditional caution from the police regarding that offence.

## **9. FINDINGS AS TO SANCTION**

9.1 Listing Directions provided an opportunity for the parties to make further representations regarding the appropriate sanction should the Case Tribunal find that there had been a breach of the Code and that it was necessary to consider the appropriate action to be taken.

9.2 The PSOW offered written submissions following the issue of the Listing Directions. Referring to the necessary action should the Case Tribunal decided that the Respondent had breached the code, she provided a list of the relevant factors for consideration, reminding the Case Tribunal that the purpose of the ethical standards framework was to facilitate the highest standards among council member in Wales and to maintain the confidence of the public in local democracy,

9.3 The PSOW acknowledged that the nature of any sanction is a matter for the Case Tribunal, having considered the facts of the case and the seriousness of the breach but in order to offer assistance, set out a list of mitigating and aggravating factors noted during the investigation and report. The PSOW concluded that the nature of the breach was serious and that a sanction would be fair, proportionate and in the public interest to maintain confidence in local democracy.

9.4 The Respondent requested the understanding and mercy of the Case Tribunal, taking into consideration his personal circumstances at the time of the offence together with the impact his suspension would have on his ability to understand his constituents' case work.

## **10. THE CASE TRIBUNAL'S FINDINGS ON SANCTION**

10.1 The Case Tribunal concluded as follows regarding the appropriate sanction:

10.1.1 The Case Tribunal took into consideration all the documentation, the facts and the submissions received in the case. It was noted that the Respondent had sought to refer to his personal circumstances at the time of the offence but did not offer sufficient detail to explain why that would lead to his offending. He also claimed to have received medical advice at about the time that he was interviewed by the police but no medical evidence was provided to the Case Tribunal to consider, to explain why that was necessary.

10.1.2 The Tribunal has taken into consideration the current Sanctions Guidance issued by the APW. It has reminded itself of the provisions of paragraphs 44 and 47 particularly:

*"Public interest*

*44. The overriding purpose of the sanctions regime is to uphold the standards of conduct in public life and maintain confidence in local democracy. Tribunals should review their chosen sanction against previous decisions of the Adjudication Panel for Wales and consider the value of its chosen sanction in terms of a deterrent effect upon councillors in general and its impact in terms of wider public credibility. If the facts giving rise to a breach of the code are such as to render the member entirely unfit for public office, then disqualification rather than suspension is likely to be the more appropriate sanction.”*

And also:

*“Former members*

*47. In circumstances where the tribunal would normally apply a suspension but the Respondent is no longer a member, a short period of disqualification may be appropriate (this can only apply in case tribunals). This will ensure that the Respondent is unable to return to public office, through co-option for example, sooner than the expiry of the period of suspension that would have been applied but for their resignation or not being re-elected.”*

10.1.3 The Registrar to the Tribunal confirmed that the Assistant Monitoring Officer had confirmed that there had been no previous complaint against the Respondent during his tenure as a member.

10.1.4 The Case Tribunal’s starting point when considering sanctions is the seriousness of the breach. Paragraph 35 of the guidance states:

*“35. The tribunal will assess seriousness with particular reference to:*

- the nature and extent of the breach, and number of breaches;*
- the member’s culpability, their intentions in breaching the Code, and any previous breaches of the Code;*
- the actual and potential consequences of the breach – for any individual(s), the wider public and/or the council as a whole;*
- the extent to which the member’s actions have, or are likely to have the potential to, bring his/her office or the relevant authority into disrepute.*

*36. Examples of the way in which tribunals might weight seriousness include:*

- a breach involving deliberate deception for personal gain or discrimination is likely to be regarded as more serious than that involving the careless use of a council email address on a personal social media profile;....”*

10.1.5 The Case Tribunal concluded that this was serious misconduct – a deliberate offence, an attempt to dishonestly defraud for personal benefit. This was not a case where taking no action was appropriate.

10.1.6 Since the Respondent had ultimately resigned from his office as a member of the Relevant Authority, the only appropriate action is a disqualification. A case tribunal can disqualify a member from being a member or becoming a member in future of the authority in question or any other relevant authority to which the Code of Conduct is relevant, for a maximum of five years. This is the most drastic sanction available to a tribunal. The guidance explains that disqualification is likely to be appropriate if the breach is so serious as to require a substantial disciplinary response to ensure that the same thing does not happen again, to demonstrate that conduct of this type in a public office is unacceptable and to emphasise the importance of the code and to maintain the public confidence in local democracy.

10.1.7 The Case Tribunal considered the following mitigating and aggravating factors whilst considering the sanction:

#### **Mitigating circumstances**

10.1.7.1 There is only one incident and one offence to be considered.

10.1.7.2 The Respondent was a relatively recent appointment to the Relevant Authority having been elected just over a year prior to the offence.

10.1.7.3 There were no complaints received or Standards committee consideration in respect of the Respondent's behaviour.

10.1.7.4 The Respondent co-operated fully with the police, admitted the offence and accepted a Conditional Caution.

10.1.7.5 The Respondent co-operated with the PSOW's investigation.

10.1.7.6 The Respondent resigned from his employment because of the offence.

10.1.7.7 The Respondent wrote to the employer council to apologise for the offence.

#### **Aggravating Circumstances**

10.1.7.8 The Respondent conducted himself in a deliberate attempt to attain personal benefit from the offence.

10.1.7.9 He misused his employment as an officer in a public authority to attain personal benefit and to defraud his employer and Beaumaris Town Council.

10.1.7.10 He had planned the offence in advance by removing a page from the centre of an invoice book and removing the carbon copy pages too in order to hide the removal.

10.1.7.11 He pursued the company to pay the sum due two weeks after sending the initial invoice.

10.1.7.12 He deleted the relevant emails from his account in an attempt to cover up the offence and stated in an interview that he should have thrown the laptop into the Menai Strait.

10.1.7.13 He did not consider referring himself to the PSOW and continued to be a member of the Relevant Authority until September 2025, with the intention of pursuing his own political career. Despite his notification of the position to the leader of the group, he was very slow in notifying the Monitoring Officer of the Conditional Caution.

10.1.7.14 The Respondent had been working as an officer within a public authority for about 12 years and had been a local councillor since 2018. He had attended Code of Conduct training recently and was therefore familiar with the expected standards.

10.1.8 Having considered all the circumstances and the evidence presented, the Case Tribunal concluded that the Respondent had very limited insight into the seriousness of the offence and the situation in the context of the Nolan Principles. His behaviour was contrary to the principles of selflessness; honesty; integrity and propriety; the duty to uphold the law; stewardship; openness; accountability and leadership. These are core principles for conduct in public life, yet the main concern for the Respondent appeared to be the impact on his reputation and making every effort to cover up his conduct. Despite his apology to Isle of Anglesey County Council for his conduct, he did so on advice from the police and to comply with the condition imposed by the Conditional Caution.

10.1.9 The Case Tribunal concluded that this was a serious case and that the disqualification period should be sufficiently long to enable the Respondent to reflect on his behaviour and to seriously consider his own suitability for seeking public office. It is essential that standards are maintained in public life and we therefore decided that a disqualification for three years reflected the seriousness of the offence and the limited or lack of insight by the Respondent to the seriousness of the breach he had committed.

10.1.10 The Case Tribunal unanimously decided that a three year disqualification from being or becoming a member of the relevant authority or any relevant authority as defined by the Local Government Act 2000.

10.1.11 The Gwynedd County Council and its Standards Committee are duly notified.

10.1.12 The Respondent may apply to the High Court for permission to appeal against this determination. Anyone considering such an application for permission is urged to seek independent advice immediately.

Signed: .....Judge Meleri Tudur.....

Date: 10<sup>th</sup> February 2026

Chair of the Case Tribunal: Judge Meleri Tudur

Member of the Case Tribunal: Dr Glenda Jones

Member of the Case Tribunal : Mrs Sian McRobie